IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO.148 OF 2007

Malegaon Municipal Corporation : Appellant
(Orig.Defendant)

V/s.

Chandrakant Dattatraya Sule : Respondent
(Orig.Plaintiff)

...

Mr.Suresh M. Sabrad for the appellant.

Mr.Narayan R. Bubna for the respondent.

...

**CORAM : S.A.BOBDE, J.**

DATE : SEPTEMBER 11, 2007.

**P.C**.

This Second Appeal is against the money decree for Rs.27,400/- confirmed by the appellate Court. The Courts below have come to the conclusion on the basis of evidence on record and particularly the evidence given by the defendant's witness referred to in paragraph 21 of the judgement that the amount of Rs.27,400/- was recovered from the plaintiff and it is not yet paid to the plaintiff. In the circumstances, it cannot be said that the findings of the Courts below are vitiated on any count. No substantial questions of law arises in this Second Appeal which is hereby dismissed.

S.A. BOBDE, J.